

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

RICHARD M. ZELMA,

*Plaintiff,*

v.

PENN LLC d/b/a PULSETV.COM, *et al.*,

*Defendants.*

Civil Action No. 19-8725

**ORDER**

**John Michael Vazquez, U.S.D.J.**

For the reasons expressed in the accompanying Opinion; and for good cause shown,

IT IS on this 17<sup>th</sup> day of January, 2020,

**ORDERED** that Defendants' motion to dismiss, D.E. 3, is **GRANTED in part** and  
**DENIED in part**; and it is further

**ORDERED** that all Counts are dismissed as to Defendant Jaffer Ali; and it is further

**ORDERED** that Count Four is dismissed as to Defendant Penn and Defendant Pulse; and  
it is further

**ORDERED** that Defendants' motion for sanctions, D.E. 10, is **DENIED**; and it is further

**ORDERED** that Plaintiff is provided with thirty (30) days to file an amended complaint  
that cures the deficiencies noted herein. If Plaintiff fails to do so, then the counts in his Complaint  
which have been dismissed will be dismissed with prejudice.

  
John Michael Vazquez, U.S.D.J.